01/31/23 **REVISOR** DTT/AD 23-02514 as introduced

#### SENATE STATE OF MINNESOTA NINETY-THIRD SESSION

S.F. No. 1679

(SENATE AUTHORS: WIKLUND and Morrison)

**DATE** 02/16/2023

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**OFFICIAL STATUS** 

Introduction and first reading Referred to Health and Human Services

See SF2995

A bill for an act 1.1

relating to health and human services; expanding and establishing programs to 1 2 address the health and human services workforce shortage; appropriating money; 1.3 requiring reports; amending Minnesota Statutes 2022, sections 62J.692, subdivisions 1.4 1, 3; 144.1501, subdivisions 2, 3; 144.1506, subdivision 4; 245.4663, subdivision 1.5 4; proposing coding for new law in Minnesota Statutes, chapters 144; 245. 1.6

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

- Section 1. Minnesota Statutes 2022, section 62J.692, subdivision 1, is amended to read: 1.8
- Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions 1.9 apply: 1.10
  - (b) "Accredited clinical training" means the clinical training provided by a medical education program that is accredited through an organization recognized by the Department of Education, the Centers for Medicare and Medicaid Services, or another national body who reviews the accrediting organizations for multiple disciplines and whose standards for recognizing accrediting organizations are reviewed and approved by the commissioner of health.
    - (c) "Commissioner" means the commissioner of health.
  - (d) "Clinical medical education program" means the accredited clinical training of physicians (medical students and residents), doctor of pharmacy practitioners, doctors of chiropractic, dentists, advanced practice registered nurses (clinical nurse specialists, certified registered nurse anesthetists, nurse practitioners, and certified nurse midwives), physician assistants, dental therapists and advanced dental therapists, psychologists, clinical social workers, community paramedics, and community health workers.

Section 1. 1 (e) "Sponsoring institution" means a hospital, school, or consortium located in Minnesota that sponsors and maintains primary organizational and financial responsibility for a clinical medical education program in Minnesota and which is accountable to the accrediting body.

- (f) "Teaching institution" means a hospital, medical center, clinic, or other organization that conducts a clinical medical education program in Minnesota.
- (g) "Trainee" means a student or resident involved in a clinical medical education program.
- (h) "Eligible trainee FTE's" means the number of trainees, as measured by full-time equivalent counts, that are at training sites located in Minnesota with currently active medical assistance enrollment status and a National Provider Identification (NPI) number where training occurs in as part of or under the scope of either an inpatient or ambulatory patient care setting and where the training is funded, in part, by patient care revenues. Training that occurs in nursing facility settings is not eligible for funding under this section.
- Sec. 2. Minnesota Statutes 2022, section 62J.692, subdivision 3, is amended to read:
- Subd. 3. **Application process.** (a) A clinical medical education program conducted in Minnesota by a teaching institution to train physicians, doctor of pharmacy practitioners, dentists, chiropractors, physician assistants, dental therapists and advanced dental therapists, psychologists, clinical social workers, community paramedics, or community health workers is eligible for funds under subdivision 4 if the program:
- (1) is funded, in part, by patient care revenues;

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- 2.21 (2) occurs in patient care settings that face increased financial pressure as a result of competition with nonteaching patient care entities; and
- (3) includes training hours in settings outside of the hospital or clinic site, as applicable,
   including but not limited to school, home, and community settings; and
  - (3) (4) emphasizes primary care or specialties that are in undersupply in Minnesota.
  - (b) A clinical medical education program for advanced practice nursing is eligible for funds under subdivision 4 if the program meets the eligibility requirements in paragraph (a), clauses (1) to (3), and is sponsored by the University of Minnesota Academic Health Center, the Mayo Foundation, or institutions that are part of the Minnesota State Colleges and Universities system or members of the Minnesota Private College Council.
  - (c) Applications must be submitted to the commissioner by a sponsoring institution on behalf of an eligible clinical medical education program and must be received by October

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3.1 31 of each year for distribution in the following year. An application for funds must contain the following information:

- (1) the official name and address of the sponsoring institution and the official name and site address of the clinical medical education programs on whose behalf the sponsoring institution is applying;
- (2) the name, title, and business address of those persons responsible for administeringthe funds;
  - (3) for each clinical medical education program for which funds are being sought; the type and specialty orientation of trainees in the program; the name, site address, and medical assistance provider number and national provider identification number of each training site used in the program; the federal tax identification number of each training site used in the program, where available; the total number of trainees at each training site; and the total number of eligible trainee FTEs at each site; and
  - (4) other supporting information the commissioner deems necessary to determine program eligibility based on the criteria in paragraphs (a) and (b) and to ensure the equitable distribution of funds.
  - (d) An application must include the information specified in clauses (1) to (3) for each clinical medical education program on an annual basis for three consecutive years. After that time, an application must include the information specified in clauses (1) to (3) when requested, at the discretion of the commissioner:
  - (1) audited clinical training costs per trainee for each clinical medical education program when available or estimates of clinical training costs based on audited financial data;
  - (2) a description of current sources of funding for clinical medical education costs, including a description and dollar amount of all state and federal financial support, including Medicare direct and indirect payments; and
  - (3) other revenue received for the purposes of clinical training.
- (e) An applicant that does not provide information requested by the commissioner shall
  not be eligible for funds for the current funding cycle.
  - Sec. 3. Minnesota Statutes 2022, section 144.1501, subdivision 2, is amended to read:
- Subd. 2. **Creation of account.** (a) A health professional education loan forgiveness program account is established. The commissioner of health shall use money from the account to establish a loan forgiveness program:

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(1) for medical residents, mental health professionals, and alcohol and drug counselors agreeing to practice in designated rural areas or underserved urban communities or specializing in the area of pediatric psychiatry;

as introduced

- (2) for midlevel practitioners agreeing to practice in designated rural areas or to teach at least 12 credit hours, or 720 hours per year in the nursing field in a postsecondary program at the undergraduate level or the equivalent at the graduate level;
- (3) for nurses who agree to practice in a Minnesota nursing home; <u>in</u> an intermediate care facility for persons with developmental disability; <u>in</u> a hospital if the hospital owns and operates a Minnesota nursing home and a minimum of 50 percent of the hours worked by the nurse is in the nursing home; <u>a housing with services establishment in an assisted living facility</u> as defined in section <u>144D.01</u> <u>144G.08</u>, subdivision <u>47</u>; or for a home care provider as defined in section <u>144A.43</u>, subdivision 4; or agree to teach at least 12 credit hours, or 720 hours per year in the nursing field in a postsecondary program at the undergraduate level or the equivalent at the graduate level;
- (4) for other health care technicians agreeing to teach at least 12 credit hours, or 720 hours per year in their designated field in a postsecondary program at the undergraduate level or the equivalent at the graduate level. The commissioner, in consultation with the Healthcare Education-Industry Partnership, shall determine the health care fields where the need is the greatest, including, but not limited to, respiratory therapy, clinical laboratory technology, radiologic technology, and surgical technology;
- (5) for pharmacists, advanced dental therapists, dental therapists, and public health nurses who agree to practice in designated rural areas; and
- (6) for dentists agreeing to deliver at least 25 percent of the dentist's yearly patient encounters to state public program enrollees or patients receiving sliding fee schedule discounts through a formal sliding fee schedule meeting the standards established by the United States Department of Health and Human Services under Code of Federal Regulations, title 42, section 51, chapter 303.
- (b) Appropriations made to the account do not cancel and are available until expended, except that at the end of each biennium, any remaining balance in the account that is not committed by contract and not needed to fulfill existing commitments shall cancel to the fund.

Sec. 3. 4

Sec. 4. Minnesota Statutes 2022, section 144.1501, subdivision 3, is amended to read:

- Subd. 3. **Eligibility.** (a) To be eligible to participate in the loan forgiveness program, an individual must:
- (1) be a medical or dental resident; <u>be</u> a licensed pharmacist; or be enrolled in a training or education program <u>or obtaining required supervision hours</u> to become a dentist, dental therapist, advanced dental therapist, mental health professional, alcohol and drug counselor, pharmacist, public health nurse, midlevel practitioner, registered nurse, or a licensed practical nurse. The commissioner may also consider applications submitted by graduates in eligible professions who are licensed and in practice; and
  - (2) submit an application to the commissioner of health.

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- (b) An applicant selected to participate must sign a contract to agree to serve a minimum three-year full-time service obligation according to subdivision 2, which shall begin no later than March 31 following completion of required training, with the exception of a nurse, who must agree to serve a minimum two-year full-time service obligation according to subdivision 2, which shall begin no later than March 31 following completion of required training.
- Sec. 5. Minnesota Statutes 2022, section 144.1506, subdivision 4, is amended to read:
  - Subd. 4. **Consideration of expansion grant applications.** The commissioner shall review each application to determine whether or not the residency program application is complete and whether the proposed new residency program and any new residency slots are eligible for a grant. The commissioner shall award grants to support up to six family medicine, general internal medicine, or general pediatrics residents; four five psychiatry residents; two geriatrics residents; and two general surgery residents. If insufficient applications are received from any eligible specialty, funds may be redistributed to applications from other eligible specialties.

## Sec. 6. [144.1507] PEDIATRIC PRIMARY CARE MENTAL HEALTH TRAINING; GRANT PROGRAM.

- Subdivision 1. Establishment. The commissioner of health shall award grants for the development of child mental health training programs that are located in outpatient primary care clinics. To be eligible for a grant, a training program must:
- (1) focus on the training of pediatric primary care providers working with
   multidisciplinary mental health teams;

Sec. 6. 5

commissioner shall review each application to determine whether the application meets the

Subd. 5. Program oversight. During the grant period, the commissioner may require

stated goals of the grant and shall award grants to support up to four training program

and collect from grantees any information necessary to evaluate the training program.

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Sec. 6. 6

# Sec. 7. [144.1511] MENTAL HEALTH CULTURAL COMMUNITY CONTINUING EDUCATION GRANT PROGRAM.

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The mental health cultural community continuing education grant program is established
in the Department of Health to provide grants for the continuing education necessary for
social workers, marriage and family therapists, psychologists, and professional clinical
counselors to become supervisors for individuals pursuing licensure in mental health
professions. The commissioner must consult with the relevant mental health licensing boards
in creating the program. To be eligible for a grant under this section, a social worker, marriage
and family therapist, psychologist, or professional clinical counselor must:

- (1) be a member of communities of color or an underrepresented community as defined in section 148E.010, subdivision 20; and
- (2) work for a community mental health provider and agree to deliver at least 25 percent of their yearly patient encounters to state public program enrollees or patients receiving sliding fee schedule discounts through a formal sliding fee schedule meeting the standards established by the United States Department of Health and Human Services under Code of Federal Regulations, title 42, section 51c.303.

### Sec. 8. [144.88] MENTAL HEALTH AND SUBSTANCE USE DISORDER EDUCATION CENTER.

- Subdivision 1. Establishment. The Mental Health and Substance Use Disorder Education
  Center is established in the Department of Health. The purpose of the center is to increase
  the number of professionals, practitioners, and peers working in mental health and substance
  use disorder treatment; increase the diversity of professionals, practitioners, and peers
  working in mental health and substance use disorder treatment; and facilitate a culturally
  informed and responsive mental health and substance use disorder treatment workforce.
- 7.25 <u>Subd. 2.</u> <u>Activities.</u> The Mental Health and Substance Use Disorder Education Center must:
- (1) analyze the geographic and demographic availability of licensed professionals in the
   field, identify gaps, and prioritize the need for additional licensed professionals by type,
   location, and demographics;
- 7.30 (2) create a program that exposes high school and college students to careers in the mental health and substance use disorders field;

Sec. 8. 7

(3) create a website for individuals considering becoming a mental health provider that 8.1 clearly labels the steps necessary to achieve licensure and certification in the various mental 8.2 8.3 health fields and lists resources and links for more information; (4) create a job board for organizations seeking employees to provide mental health and 8.4 8.5 substance use disorder treatment, services, and supports; (5) track the number of students at the college and graduate level who are graduating 8.6 from programs that could facilitate a career as a mental health or substance use disorder 8.7 treatment practitioner or professional and work with the colleges and universities to support 8.8 the students in obtaining licensure; 8.9 (6) identify barriers to licensure and make recommendations to address the barriers; 8.10 (7) establish learning collaborative partnerships with mental health and substance use 8.11 disorder treatment providers, schools, criminal justice agencies, and others; 8.12 (8) promote and expand loan forgiveness programs, funds for professionals to become 8.13 supervisors, funding to pay for supervision, and funding for pathways to licensure; 8.14 8.15 (9) identify barriers to using loan forgiveness programs and develop recommendations to address the barriers; 8.16 (10) work to expand Medicaid graduate medical education to other mental health 8.17 professionals; 8.18 (11) identify current sites for internships and practicums and assess the need for additional 8.19 8.20 sites; (12) develop training for other health care professionals to increase their knowledge 8.21 about mental health and substance use disorders, including but not limited to community 8.22 health workers, pediatricians, primary care physicians, physician assistants, and nurses; and 8.23 8.24 (13) support training for integrated mental health and primary care in rural areas. Subd. 3. Reports. Beginning January 1, 2024, the commissioner of health shall submit 8.25 8.26 an annual report to the chairs and ranking minority members of the legislative committees with jurisdiction over health summarizing the center's activities and progress in addressing 8.27 the mental health and substance use disorder treatment workforce shortage. 8.28 Sec. 9. Minnesota Statutes 2022, section 245.4663, subdivision 4, is amended to read: 8.29 8.30 Subd. 4. Allowable uses of grant funds. A mental health provider must use grant funds received under this section for one or more of the following: 8.31

Sec. 9. 8

	01/31/23	REVISOR	DTT/AD	23-02514	as introduced	
9.1	(1) to pay	for direct superv	ision hours for inter	ns and clinical trainee	s, in an amount up	
9.2	to \$7,500 per intern or clinical trainee;					
9.3	(2) to esta	ablish a program t	o provide supervisio	on to multiple interns o	or clinical trainees;	
9.4	<del>Of</del>					
9.5	(3) to pay	y licensing applica	tion and examination	on fees for clinical trai	nees <del>.;</del> or	
9.6	(4) to pro	ovide a weekend tr	raining program for	workers to become su	pervisors.	
9.7	Sec. 10. <b>[2</b> 4	45.4664] MENTA	L HEALTH PROF	ESSIONAL SCHOL	ARSHIP GRANT	
9.8	PROGRAM	<u>I.</u>				
9.9	Subdivisi	ion 1. <b>Definitions</b>	(a) For purposes o	f this section, the follo	owing terms have	
9.10	the meanings	s given.				
9.11	(b) "Men	tal health professi	onal" means an ind	ividual with a qualific	ation specified in	
9.12	section 245I.	.04, subdivision 2	<u>.</u>			
9.13	(c) "Unde	errepresented com	munity" has the me	eaning given in section	148E.010,	
9.14	subdivision 2	20.				
9.15	Subd. 2.	Grant program e	stablished. The me	ental health profession	al scholarship	
9.16	program is es	stablished in the De	epartment of Human	Services to assist men	tal health providers	
9.17	in funding en	mployee scholarsh	ips for master's deg	gree-level education pr	ograms in order to	
9.18	create a path	way to becoming	a mental health pro	fessional.		
9.19	Subd. 3.	Provision of gran	ts. The commission	ner of human services	shall award grants	
9.20	to licensed o	r certified mental	health providers wh	no meet the criteria in	subdivision 4 to	
9.21	provide tuition	on reimbursement	for master's degree	-level programs and co	ertain related costs	
9.22	for individua	als who have work	ted for the mental h	ealth provider for at le	east the past two	
9.23	years in one	or more of the fol	lowing roles:			
9.24	(1) a mer	ntal health behavio	oral aide who meets	a qualification in sect	ion 245I.04,	
9.25	subdivision	<u>16;</u>				
9.26	(2) a men	tal health certified	family peer special	ist who meets the quali	fications in section	
9.27	245I.04, sub	division 12;				
9.28	(3) a men	ntal health certified	d peer specialist wh	o meets the qualificati	ons in section	

(4) a mental health practitioner who meets a qualification in section 245I.04, subdivision

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Sec. 10.

245I.04, subdivision 10;

(5) a mental health rehabilitation worker who meets the qualifications in section 245I.04, 10.1 10.2 subdivision 14; 10.3 (6) an individual employed in a role in which the individual provides face-to-face client services at a mental health center or certified community behavioral health center; or 10.4 10.5 (7) a staff person who provides care or services to residents of a residential treatment facility. 10.6 10.7 Subd. 4. Eligibility. In order to be eligible for a grant under this section, a mental health provider must: 10.8 (1) primarily provide at least 25 percent of the provider's yearly patient encounters to 10.9 state public program enrollees or patients receiving sliding fee schedule discounts through 10.10 a formal sliding fee schedule meeting the standards established by the United States 10.11 Department of Health and Human Services under Code of Federal Regulations, title 42, 10.12 section 51c.303; or 10.13 (2) primarily serve people from communities of color or underrepresented communities. 10.14 Subd. 5. **Request for proposals.** The commissioner must publish a request for proposals 10.15 in the State Register specifying provider eligibility requirements, criteria for a qualifying 10.16 employee scholarship program, provider selection criteria, documentation required for 10.17 program participation, the maximum award amount, and methods of evaluation. The 10.18 commissioner must publish additional requests for proposals each year in which funding is 10.19 10.20 available for this purpose. Subd. 6. Application requirements. An eligible provider seeking a grant under this 10.21 section must submit an application to the commissioner. An application must contain a 10.22 complete description of the employee scholarship program being proposed by the applicant, 10.23 10.24 including the need for the mental health provider to enhance the education of its workforce, 10.25 the process the mental health provider will use to determine which employees will be eligible for scholarships, any other funding sources for scholarships, the amount of funding sought 10.26 for the scholarship program, a proposed budget detailing how funds will be spent, and plans 10.27 to retain eligible employees after completion of the education program. 10.28 Subd. 7. Selection process. The commissioner shall determine a maximum award amount 10.29 for grants and shall select grant recipients based on the information provided in the grant 10.30 application, including the demonstrated need for the applicant provider to enhance the 10.31 education of its workforce, the proposed process to select employees for scholarships, the 10.32 applicant's proposed budget, and other criteria as determined by the commissioner. The 10.33

Sec. 10.

DTT/AD

23-02514

as introduced

01/31/23

**REVISOR** 

Sec. 11.

12.1	(5) policy and procedures for physical holds and de-escalation techniques;
12.2	(6) physical and nonphysical intervention;
12.3	(7) positive behavior supports;
12.4	(8) fundamentals of child and adolescent development;
12.5	(9) mental illness and symptoms of mental illness; and
12.6	(10) cultural responsiveness and family engagement.
12.7	(c) At the completion of the training requirements, a participant and their completion
12.8	date must be listed in the youth worker professional registry held and maintained by the
12.9	commissioner of human services.
12.10	(d) Expert stakeholders from children's mental health treatment must be involved in
12.11	curriculum development.
12.12	Sec. 12. TRANSFER TO THE HEALTH PROFESSIONAL LOAN FORGIVENESS
12.13	ACCOUNT.
12.14	\$2,000,000 in fiscal year 2024 is transferred from the general fund to the health
12.15	professional loan forgiveness account established in Minnesota Statutes, section 144.1501,
12.16	subdivision 2, to be used for loan forgiveness for eligible mental health professionals.
12.17	Sec. 13. APPROPRIATION; ADDITIONAL PSYCHIATRY SLOT FOR PRIMARY
12.18	CARE RESIDENCY EXPANSION GRANT PROGRAM.
12.10	CIRC RESIDENCE ENTRA SIGN GREAT TROOPENS.
12.19	\$ in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the general
12.20	fund to the commissioner of health to support a fifth psychiatry resident under Minnesota
12.21	Statutes, section 144.1506.
12.22	Sec. 14. APPROPRIATIONS; MENTAL HEALTH TRAINING PROGRAMS FOR
12.23	PEDIATRIC PRIMARY CARE PROVIDERS.
12.23	
12.24	\$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are appropriated from
12.25	the general fund to the commissioner of health for the mental health training programs for
12.26	pediatric primary care providers under Minnesota Statutes, section 144.1507.

DTT/AD

23-02514

as introduced

01/31/23

REVISOR

Sec. 14. 12

13.1	Sec. 15. APPROPRIATIONS; MENTAL HEALTH CULTURAL COMMUNITY
13.2	CONTINUING EDUCATION GRANT PROGRAM.
13.3	\$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are appropriated from the
13.4	general fund to the commissioner of health for the mental health cultural community
13.5	continuing education grant program under Minnesota Statutes, section 144.1511.
13.6	Sec. 16. APPROPRIATIONS; MENTAL HEALTH PROVIDER SUPERVISION
13.7	GRANT PROGRAM.
13.8	\$1,500,000 in fiscal year 2024 and \$1,500,000 in fiscal year 2025 are appropriated from
13.9	the general fund to the commissioner of human services for the mental health provider
13.10	supervision grant program under Minnesota Statutes, section 245.4663.
13.11	Sec. 17. APPROPRIATION; MENTAL HEALTH PROFESSIONAL SCHOLARSHIP
13.12	GRANT PROGRAM.
13.13	\$ in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the general
13.14	fund to the commissioner of human services for the mental health professional scholarship
13.15	grant program under Minnesota Statutes, section 245.4664.
13.16	Sec. 18. APPROPRIATIONS; YOUTH CARE PROFESSIONAL TRAINING
13.17	PROGRAM.
13.18	\$ in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the general
13.19	fund to the commissioner of human services to contract with a provider to develop and
13.20	support the youth care professional training program under Minnesota Statutes, section
13.21	245.4906, and for a database to retain information on those who complete training.

DTT/AD

23-02514

as introduced

01/31/23

REVISOR

Sec. 18. 13